

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

GARY GRAHAM,

Defendant.

4:22CR3073

ORDER

Defendant has moved to set a new pretrial motion deadline out of time (Filing No. 131), because Defendant and his new counsel need additional time to review this case and confer with the defendant. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (Filing No. 131), is granted.
- 2) Pretrial motions and briefs shall be filed on or before July 31, 2023.
- 3) The trial remains set for August 21, 2023.
- 4) The ends of justice served by granting Defendant's motion outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and August 21, 2023 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 5th day of July, 2023.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge